



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue
Seattle, Washington 98101

JUN 30 2000

Reply To
Attn Of: OW-130

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mark Premo
General Manager
Anchorage Water and Wastewater Utility
3000 Arctic Boulevard
Anchorage, Alaska 99503-3898

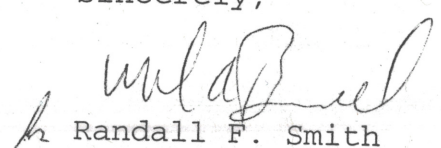
Re: NPDES Permit No. AK-002255-1
John M. Asplund Water Pollution Control Facility

Dear Mr. Premo:

We are reissuing the above referenced National Pollutant Discharge Elimination System (NPDES) permit. The enclosed document authorizes the referenced facility to discharge to the receiving waters indicated in the permit. Also included is the Agency's response to the comments received during the public notice period on the draft permit, along with the Final Decision of the Regional Administrator to issue this permit incorporating a Clean Water Act Section 301(h) variance for this facility.

This permit will become effective on the date indicated in the above referenced permit unless a request for an evidentiary hearing which meets the requirements of 40 CFR 124.74 is received. A copy of these requirements is enclosed for your information.

Sincerely,


Randall F. Smith
Director
Office of Water

Enclosures

cc: AK DEC, Southcentral Regional Office

Z 219 892 898

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

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PS Form 3800, April 1995

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- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**Mark Premo
Anchorage Water & Wastewater Utility
3000 Arctic Boulevard
Anchorage, AK 99503-3998**

2. Article Number (Copy from service label)

219-892-898

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789

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| <input type="checkbox"/> Insured Mail | <input type="checkbox"/> C.O.D. |

4. Restricted Delivery? (Extra Fee)

☐ Yes

Reply To
Attn Of: OW-130

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mark Premo
General Manager
Anchorage Water and Wastewater Utility
3000 Arctic Boulevard
Anchorage, Alaska 99503-3898

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Director
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Enclosures

cc: AK DEC, Southcentral Regional Office

CONCURRENCES:

NAME	LIDGARD	LARSEN	LOISELLE	ROBICHAUD
INITIALS	<i>ML</i>	<i>SL</i>	<i>fc</i>	<i>RM</i>
DATE	<i>3/15/00</i>	<i>3/15</i>	<i>3-16-00</i>	<i>4-24-00</i>

bcc: EPA-R10 NPDES Compliance Unit, OW-133
EPA-R10 Alaska Operations Office, Anchorage



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10

1200 Sixth Avenue
Seattle, WA 98101

JUN 29 2000

Reply To
Attn Of: OW-131

Michele Brown, Commissioner
Alaska Department of Environmental Conservation
555 Cordova Street
Anchorage, AK 99501

Dear Ms. Brown:

Pursuant to Section (§) 303(c) of the Clean Water Act (CWA) and implementing regulations found at 40 CFR Part 131, the Environmental Protection Agency (EPA) has reviewed the revisions to the Alaska Water Quality Standards (WQS) at 18 AAC 70 that were adopted on March 25, 1999, and submitted to the EPA on April 12 1999. These revisions establish site-specific metals and turbidity criteria for Upper Cook Inlet in the vicinity of Point Woronzof.

This letter constitutes our formal notification of the results of this review. Based on our authorities under the CWA, cited above, EPA approves the site-specific metals and turbidity criteria for the Point Woronzof area of Upper Cook Inlet because these revisions are consistent with the CWA as well as EPA's policy and guidance on development of site-specific criteria.

The decision document for the adopted revisions presents a well researched technical justification for the site-specific criteria for metals and turbidity in the Upper Cook Inlet area. The site-specific area is clearly defined and the characteristics of the site that warrant development of SSC have been reasonably articulated.

The SSC for metals involve changes to the form of metal (dissolved versus total recoverable) and numeric values. The adopted revisions will implement dissolved metals criteria in the site-specific area. This approach to metals implementation conforms with EPA's metals policy (60 FR 22229). With the exception of mercury, the numeric dissolved metals criteria that have been adopted are consistent with the criteria that EPA recently published in a December 10, 1998, Federal Register Notice of "National Recommended Water Quality Criteria: Notice (63 FR 68354).

Similarly, the SSC for mercury involve changes to the form of the metal and the numeric values of the criteria. The EPA December 10, 1998 aquatic life mercury criteria are expressed as dissolved which represents a change in EPA policy for mercury. The SSC for mercury, expressed as dissolved is consistent with this new EPA approach. The marine acute aquatic life criterion for mercury is consistent with EPA's December 10, 1998, FR Notice acute criterion. The proposed marine chronic aquatic life criterion for mercury is consistent with the EPA criteria published in the National Toxics Rule (57 FR 60848).

The proposed revisions to the turbidity criterion are justified based on the high levels of glacial derived suspended sediments delivered by the rivers in the vicinity of the site-specific area. Total suspended solids data in the vicinity of the site demonstrate the need for revisions to the existing turbidity criterion. The Decision Document provides a reasonable justification for the proposed changes to the turbidity criterion.

Alaska remains in the National Toxic Rule (NTR) for aquatic life criteria for nickel (acute), selenium (acute and chronic), and zinc (acute). The NTR prohibits EPA from approving site-specific criteria for these three pollutants until the State has adopted criteria for them and EPA has approved the adopted criteria. Therefore, EPA can not approve the SSC for aquatic life acute nickel, acute and chronic selenium, and acute zinc at this time.

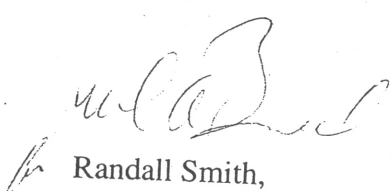
In a second submittal to EPA, the 1999 Triennial Review, Alaska has formally adopted the NTR criteria for the three metals specified above. Before EPA can approve the criteria in the Triennial Review submittal, EPA must complete Essential Fish Habitat (EFH) consultation and initiate Endangered Species Act (ESA) consultation. EPA is currently revising the documents for these two consultations. Once EPA has completed EFH consultation and EPA has submitted the ESA document to the Services for their review, we will be able to approve the criteria included in the Triennial Review submittal and approve the three SSC. EPA will then begin the process of removing Alaska from the NTR.

EPA approval of Alaska WQS revisions is considered a Federal action and EPA must comply with the Section 7 consultation requirements of the ESA. EPA determined that the approval of SSC would have no effect on species under the jurisdiction of the Fish and Wildlife Service. On April 4, 2000, EPA submitted to the National Marine Fisheries Service (NMFS) a Biological Evaluation that assessed the effects of the SSC on candidate Beluga whales in the site-specific area. In a letter dated June 19, 2000, the NMFS concurred with EPA's determination that approval of SSC for metals and turbidity would not likely adversely affect any threatened or endangered species under NMFS jurisdiction.

Similarly, the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) requires federal agencies to consult with NMFS on any actions authorized, funded, or undertaken by the agency that may adversely affect essential fish habitat (EFH) identified by Regional Fishery Management Councils. EPA prepared an evaluation of the effects of the SSC on EFH and determined that approval of the SSC is not likely to have an adverse effect on EFH. Although not required to do so under the Magnuson-Stevens Act, EPA provided its analysis to NMFS on April 4, 2000. In a letter dated June 19, 2000, the NMFS concurred with EPA's determination that approval of SSC for metals and turbidity would not likely adversely affect EFH.

We greatly appreciate the efforts of your staff to coordinate this action with EPA throughout the SSC development process. Please feel free to contact me at (206) 553-1261 or if you have any questions concerning this letter please contact Sally Brough, Water Quality Standards Coordinator, at (206) 553-1295.

Sincerely,


Randall Smith,
Director
Office of Water


cc: Deena Henkins
Mark Premo

ADEC - Juneau
Anchorage Wastewater Utility

PS Form 3800, April 1995

Z 219 892 900
US Postal Service
Receipt for Certified Mail
No Insurance Coverage Provided.
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Sent to:	
Michele Brown	
Street & Number	
410 Willoughby Ave #105	
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Juneau, AK 99801	
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SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>1. Article Addressed to:</p> <p>Ms. Michele Brown Commissioner ADEC Central Office 410 Willoughby Avenue, Suite 105 Juneau, AK 99801</p>		<p>A. Received by (Please Print Clearly)</p> <p>B. Date of Delivery</p> <p>7/7/99</p>	
<p>2. Article Number (Copy from service label)</p> <p>219 892 900</p>		<p>C. Signature</p> <p></p> <p>D. Is delivery address different from item 1? If YES, enter delivery address below:</p>	
<p>3. Service Type</p> <p><input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>		<p><input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>4. Restricted Delivery? (Extra Fee)</p> <p><input type="checkbox"/> Yes</p>		<p>Domestic Return Receipt</p>	
<p>PS Form 3811, July 1999</p>		<p>102595-99-M-1789</p>	